

detecting a target nucleic acid in a sample, and claims 51-54, drawn to a related kit, all classified in class 436, subclass 94.

Applicants hereby elect the invention of Group II, directed to a method of labeling nucleic acid, classified in class 435, subclass 91.1; a method of detecting a target nucleic acid in a sample and a related kit, classified in class 436, subclass 94. Claims 1-28 have been canceled without prejudice as being drawn to non-elected inventions. Applicants reserve the right to prosecute the subject matter of the canceled claims in one or more related applications.

NOTICE TO COMPLY

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Applicants submit herewith a substitute Sequence Listing in paper and computer readable form pursuant to 37 C.F.R. §1.821(c), (d) and (e), respectively and a return copy of the Notice.

Applicants request that the paper and computer readable form of the Sequence Listing filed February 4, 2000 be replaced with the paper and computer readable form of the Substitute Sequence Listing submitted herewith.

CONCLUSION

Applicant respectfully requests that the present amendments be entered and the present remarks be made of record in the instant application. An early allowance of the application is earnestly requested. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

Respectfully submitted,

Date October 12, 2000

Jennifer Gordon 30,753
Jennifer Gordon (Reg. No.)

By: Nikolaos C. George 39,201
Nikolaos C. George (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosure